

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

BARCLAYS BANK (SUISSE) S.A.,
CAIXABANK S.A., as successor by merger to
Barclays Bank S.A., and ZEDRA TRUST
COMPANY (JERSEY) LIMITED (f/k/a Barclays
Private Bank & Trust Limited),

Defendants.

Adv. Pro. No. 11-02569 (CGM)

___ Civ. ___

NOTICE OF MOTION FOR LEAVE TO APPEAL

PLEASE TAKE NOTICE that Defendants Barclays Bank (Suisse) S.A., Caixabank S.A., as successor by merger to Barclays Bank S.A., and Zedra Trust Company (Jersey) Limited (f/k/a Barclays Private Bank & Trust Limited) (together, the “Barclays Defendants”), hereby move, pursuant to 28 U.S.C. § 158(a)(3) and Rule 8004 of the Federal Rules of Bankruptcy Procedure, for leave to appeal from the Order Denying the Barclays Defendants’ Motion to Dismiss the

Complaint (ECF No. 141), entered by the United States Bankruptcy Court for the Southern District of New York (Hon. Cecelia G. Morris, Bankruptcy Judge) on July 21, 2022, in Adversary Proceeding No. 11-02569. This motion is supported by the accompanying declaration of Marc J. Gottridge, the exhibits thereto, and the memorandum of law in support of the Barclays Defendants' motion for leave to appeal, all filed herewith.

PLEASE TAKE FURTHER NOTICE that papers, if any, responding to this motion shall be filed in accordance with this Court's electronic filing procedures and served upon counsel to the Barclays Defendants, Herbert Smith Freehills New York LLP, 450 Lexington Avenue, New York, New York 10017, Attn: Marc J. Gottridge.

Dated: New York, New York
August 22, 2022

Respectfully submitted,

**HERBERT SMITH FREEHILLS
NEW YORK LLP**

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(Suisse) S.A., Caixabank S.A., as successor by
merger to Barclays Bank S.A., and Zedra
Trust Company (Jersey) Limited (f/k/a
Barclays Private Bank and Trust Limited)*